



HOME BUILDERS ASSOCIATION OF CONNECTICUT, INC.
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*Your Home
Is Our
Business*

February 22, 2010

To: Senator Ed Meyer and Representative Richard Roy, Co-Chairs, and
members of the Environment Committee

From: Bill Ethier, CAE, Chief Executive Officer

Re: RB 121, AAC the Extension of General Permits Issued by the Department
of Environmental Protection

The HBA of Connecticut is a professional trade association with 1,100 member firms statewide, employing tens of thousands of Connecticut citizens. Our members are residential and commercial builders, land developers, home improvement contractors, trade contractors, suppliers and those businesses and professionals that provide services to our diverse industry. We estimate that our members build 70% to 80% of all new homes and apartments in the state.

We support RB 121 with one exception and suggest an alternative approach to achieve the same result sought after by DEP.

DEP's general permits are useful administrative devices to handle certain regulated activities. Requiring regulated activities that currently fall under a general permit to file for individual permits makes no sense from an agency resource perspective as there is no way, even in the best of state budgets, for DEP to handle such an enormous workload. Requiring individual permits for all activities would also subject the regulated community and the citizens of CT to even greater unnecessary permit delays than currently experienced, untold increases in regulatory costs, as well as the lost opportunity of business and job growth caused by increased regulatory uncertainty.

When creating a general permit and associated requirements that must be met by the regulated community to "receive" a general permit, DEP currently sets a time limit on the permit. They typically expire after five years and the agency then renews them for some period of time. The bill seeks to automatically extend such general permits beyond their expiration date until the Commissioner formerly completes a permit renewal. **We support the automatic renewal to streamline the permit extension process until the formal process of renewal is completed.** Any gap in coverage by a general permit, i.e., between general permit expiration and formal renewal, would subject the regulated community to possible regulatory violations and additional costs and uncertainty.

However, we do not support the requirement in the bill to charge the regulated community a fee. The fee, if any, should be charged only upon formal renewal. Therefore, we urge you to delete the sentence at lines 12 – 15. **Moreover, a better alternative for DEP to adopt and extend general permits is to not place an expiration date on them at all.** Let them continue indefinitely until DEP adopts a new general permit to replace it. To the extent other laws need to be changed to accomplish this, we urge the committee to entertain such amendments. Thank you for the opportunity to comment on this legislation.